

Federal Charter School Program

Request for Proposal (RFP)

Missouri Department of Elementary and Secondary Education

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Postmark Deadline Monday, June 2, 2003

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FAST FACTS

FEDERAL PUBLIC SCHOOLS CHARTER PROGRAM

AWARD: In no instance will an award exceed \$120,000. Each application must devote at least \$20,000 for an activity addressing School Library Media Centers and at least \$20,000 for an activity addressing Technology.

DEADLINE: All RFPs must be delivered to the Discretionary Grants' Section of the Missouri Department of Elementary and Secondary Education by 4:00 p.m. on Monday, June 2, 2003, or must be postmarked not later than 4:00 p.m. on Monday, June 2, 2003. **Faxed applications will not be accepted.**

REQUIREMENT: To be considered, the Department must receive an original and two copies of the entire package or postmarked by the time and date specified above.

PACKAGE CONTENTS: The following items must be submitted in triplicate:

- Complete copy of the Charter (only for First Year Applicants)
- Package forms which include:
 - Signed information and assurance's page
 - Activities description
 - Interim benchmarks
 - Charter school federal budget

DELIVER RFP TO: Discretionary Grants' Section
2nd Floor, Jefferson State Office Building
205 Jefferson Street
Jefferson City, Missouri

MAIL RFP TO: Discretionary Grants' Section
P.O. Box 480
Jefferson City, Missouri 65102-0480

QUESTIONS: Craig Rector
Phone: 573-526-1594
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2003-2004 Charter Schools Grant Program Guidance

CFDA 84.282

FOREWORD

Over the last 25 years, states, communities, and schools in the United States have engaged in numerous efforts to improve teaching and learning. These efforts suggest that meaningful improvement in student achievement will require several crucial elements: high expectations for all children based on a set of performance standards; active participation by parents, educators, business partners, and communities; safe and conducive learning environments; meaningful pre-service teacher education and in-service professional development; the effective use of technology in teaching and learning; an engaging and challenging core curriculum; effective instructional leadership; and flexibility in return for accountability. New performance standards and performance assessments for all Missouri students also demand changes in instructional and assessment practices.

As part of wider education reform efforts to strengthen teaching and learning, charter schools may be an innovative approach to improving public education and expanding public school choice. While there is no one model, charter schools are exempted from certain statutory and regulatory requirements in exchange for performance-based accountability. Charter schools are intended to stimulate the creativity and commitment of teachers, parents, students, and citizens and contribute to better student academic achievement.

The Department of Elementary and Secondary Education received a Public Charter School grant from the U.S. Department of Education. Funds from the grant will be provided to Charter Schools through a competitive Request for Proposal (RFP) process to develop and implement their charter school plans.

REQUEST FOR PROPOSAL

This is a Request for Proposal (RFP) for projects that, during a three-year period of state funding from the Federal government, will result in significant steps toward improving student performance. The major focus is on incorporating strategies to help assure that all elementary and secondary students can meet the State's content, skill, and performance standards.

This RFP supports Goal 1 of the State Board of Education and of the Commissioner of Education which is to "continue to focus on student performance". It also supports Issue I of the Missouri Department of Elementary and Secondary Education's Strategic Plan related to "ensure high academic performance and equity for all students".

The Department is requesting proposals from charter school developers with an acknowledgement from their resident public school district. As part of the RFP, for first year applicants only, the charter school must include a copy of the charter submitted to the sponsor for review. (We will not screen or review a charter's proposal for funding until their charter is approved by a sponsor and funds will not be sent to the charter school until they have opened for class.)

The Department has requested additional funds from the Federal government to be used in the development of Library Media Services and Technology at the charter schools. Each applicant will include an activity for both School Library Media Center and Technology.

PROPOSAL COMPONENTS

Information and Assurance Page—To be considered, the Information and Assurance page included as part of this RFP packet must be completed and signed by the authorized representative of the Charter School. An acknowledgement of the proposal is required of the resident public school.

Charter—The proposal for first year applicants only, must include a complete copy of the Charter document submitted to the sponsor for approval. If changes were required prior to approval by the sponsor,

the amendments must be submitted to the Missouri Department of Elementary and Secondary Education prior to the proposal review. If the Charter School fails to submit the amendments, any award approval will be withdrawn. Any statement made in the context of the Charter which is later found to be misleading, can be grounds for withdrawal of approved funding and may result in return of all grant funds.

Activities—The proposal must include a brief description of the activities to be considered for funding under this proposal. The description must provide the reader with a clear picture of the proposed use of funds. The activity description must also include an evaluation method, measurement tool and time span of event. The evaluation method and measurement tool must be directly related to the requested federally funded activities. The results of the evaluation method will be used for continued funding consideration.

Federal Charter School's Program Budget—The Charter School must develop a budget for the use of the requested federal funds which meet the intent of the Charter and is compliant with the authorized activities (listed below) of the federal program. Two budget details are required: one details the proposed budget in the budget categories and on the form attached with this proposal; the second document provides a narrative description of the proposed expenditures in sufficient detail to ensure that the proposed expenditures are compliant with the authorized uses.

PRIORITIES

Priority will be given to:

- charter schools oriented to high-risk students
- charter schools oriented to the re-entry of dropouts into the school system

AWARDS

From the funds received, it is estimated that the Department will be able to award grants in an amount from \$80,000 to \$120,000. In no instance will an award exceed \$120,000. Each application must devote at least \$20,000 for an activity addressing School Library Media Centers and at least \$20,000 for an activity addressing Technology.

AUTHORIZED ACTIVITIES

Activities funded with the federal Charter Schools Program Funds are limited to one or more of the following:

- Post-award planning and design of the educational program, which may include—
 - refinement of the desired educational results and of the methods for measuring progress toward achieving those results; and
 - professional development of teachers and other staff who will work in the charter school.
- Initial implementation of the charter school, which may include—
 - informing the community about the school;
 - acquiring necessary equipment and educational materials and supplies;
 - acquiring or developing curriculum materials; and
 - other initial operating costs that cannot be met from state or local sources.

Funded activities must support and be consistent with the stated intent of the approved school charter.

Each charter school may apply for up to nine activities. Two activities must focus on the School Library Media Center and Technology.

Allowable expenditures for the School Library Media Center activity must support the ***Standards for Missouri School Library Media Centers*** (which is available for viewing at <http://www.dese.state.mo.us/divimprove/curriculum/standards/99standards.pdf>) and may include:

- Purchase of print and non-print materials for student use

- Cataloging systems and computer equipment to implement the system
- Software licenses
- Library furnishings
- Acquiring or developing library curriculum materials
- Professional development of library media staff and teachers that will focus on the effective operation and instructional use of the library.

Expenditures are not allowable for more than five copies of an individual printed title or establishing a computer lab as part of the Library Media Center.

Allowable expenditures for the Technology activity must support Missouri's **Educational Technology Strategic Plan; 2002-2006** (which is available for viewing at <http://services.dese.state.mo.us/divimprove/instrtech/techplan/02-06statetechplan.pdf>) and may include:

- Hardware
- Software
- Technology furnishings
- Networking
- Professional development of school staff and teachers that will focus on the effective operation and instructional use of technology.

FISCAL PROCEDURES

No funds may be obligated prior to the approval date of the grant. Separate accounting of the grant funds is required. Records of both encumbrances and expenditures are to be kept separately by expenditure code. If stipends are paid with grant funds, there must be documentation of time and attendance. All grant records must be maintained for three years following submission of the final report.

For purposes of these grants, obligations are considered to have been incurred as follows: for materials and supplies, when the purchase order is issued; for personal services, when the services are performed; and for travel, when the travel is taken. All agreements for purchased services must be documented in writing. All equipment purchased under this grant must be inventoried. The inventory must include a description of the property; a serial number or other identification number; the source of the property; who holds title; the acquisition date; cost of the property; percentage of Federal participation in the cost of the property; the location, use and condition of the property; and any ultimate disposition data, including the date of disposal and sale price of the property.

Each charter awarded a grant must provide the Department, as part of its independent audit, an audit schedule of the grant showing receipts and expenditures. The audit must be performed in accordance with the Department's general policy on audits. Program funds may not be used to pay for or be applied to audit costs.

The CFDA number for this grant is 84.282 and the state revenue code is 5497.

INVENTORY CONTROL

All capital outlay costing \$1000 or more per unit/set are subject to specific inventory management and control requirements as follows:

1. Items acquired using federal monies shall be physically marked by source of funding and acquisition date.
2. Inventory must be current and available for review and audit. The following information must be included to be in compliance:
 - a description of the property, including manufacturer's model number, if any

- manufacturer's serial number or other identification number
 - identification of the funding source under which the property was acquired
 - acquisition date and unit cost
 - source of property (company name)
 - percentage of federal funds used in the purchase of the property
 - present location, use, condition of the property, and date the information was reported
 - all pertinent information on the ultimate transfer, replacement, or disposition of the equipment
3. Inventory must be updated as items are purged or new purchases are made.
 4. Adequate safeguards must be in effect to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated and fully documented. The school district is responsible for replacing or repairing lost, damaged, destroyed, or stolen property. If stolen property is not recovered, the school district should submit copies of the investigative report and insurance claim to DESE. Replaced equipment is automatically considered Federal Charter School equipment and should be inventoried accordingly.
 5. Adequate maintenance procedures must be implemented.
 6. A physical inventory of items must be taken and the results reconciled with the inventory records every year.

RETURN OF EQUIPMENT PURCHASED WITH FEDERAL FUNDS

The following is taken from **Education Department General Administrative Regulations (EDGAR), Title 34 Code of Federal Regulations Parts 74-86 and 97-99, March 5, 2001 edition**. These administrative regulations guide the Missouri Department of Elementary and Secondary Education and subgrants awarded to charter schools in regard to the return of equipment purchased with federal funds in the event that a charter school is closed.

Sec. 80.32 Equipment.

(a) Title. Subject to the obligations and conditions set forth in this section, title to equipment acquired under a grant or subgrant will vest upon acquisition in the grantee or subgrantee respectively.

(b) States. A State will use, manage, and dispose of equipment acquired under a grant by the State in accordance with State laws and procedures. Other grantees and subgrantees will follow paragraphs (c) through (e) of this section.

(c) Use.

(1) Equipment shall be used by the grantee or subgrantee in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by a Federal agency.

(2) The grantee or subgrantee shall also make equipment available for use on other projects or programs currently or previously supported by the Federal Government, providing such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use shall be given to other programs or projects supported by the awarding agency. User fees should be considered if appropriate.

(3) Notwithstanding the encouragement in Sec. 80.25(a) to earn program income, the grantee or subgrantee must not use equipment acquired with grant funds to provide services for a fee to compete unfairly with private companies that provide equivalent services, unless specifically permitted or contemplated by Federal statute.

(4) When acquiring replacement equipment, the grantee or subgrantee may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property, subject to the approval of the awarding agency.

(d) Management requirements. Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part with grant funds, until disposition takes place will, as a minimum, meet the following requirements:

(1) Property records must be maintained that include a description of the property, a serial number or other identification number, the source of property, who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the cost of the property, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.

(2) A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.

(3) A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated.

(4) Adequate maintenance procedures must be developed to keep the property in good condition.

(5) If the grantee or subgrantee is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

(e) Disposition. When original or replacement equipment acquired under a grant or subgrant is no longer needed for the original project or program or for other activities currently or previously supported by a Federal agency, disposition of the equipment will be made as follows:

(1) Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.

(2) Items of equipment with a current per-unit fair market value in excess of \$5,000 may be retained or sold and the awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment.

(3) In cases where a grantee or subgrantee fails to take appropriate disposition actions, the awarding agency may direct the grantee or subgrantee to take excess and disposition actions.

(f) Federal equipment. In the event a grantee or subgrantee is provided federally-owned equipment:

(1) Title will remain vested in the Federal Government.

(2) Grantees or subgrantees will manage the equipment in accordance with Federal agency rules and procedures, and submit an annual inventory listing.

(3) When the equipment is no longer needed, the grantee or subgrantee will request disposition instructions from the Federal agency.

(g) Right to transfer title. The Federal awarding agency may reserve the right to transfer title to the Federal Government or a third party named by the awarding agency when such a third party is otherwise eligible under existing statutes. Such transfers shall be subject to the following standards:

(1) The property shall be identified in the grant or otherwise made known to the grantee in writing.

(2) The Federal awarding agency shall issue disposition instructions within 120 calendar days after the end of the Federal support of the project for which it was acquired. If the Federal awarding agency fails to issue disposition instructions within the 120 calendar-day period, the grantee shall follow Sec. 80.32(e).

(3) When title to equipment is transferred, the grantee shall be paid an amount calculated by applying the percentage of participation in the purchase to the current fair market value of the property.

(h) The provisions of paragraphs (c), (d), (e), and (g) of this section do not apply to disaster assistance under 20 U.S.C. 241-1(b)-(c) and the construction provisions of the Impact Aid Program, 20 U.S.C. 631-647.

(Approved by the Office of Management and Budget under control number 1880-0517)

(Authority: 20 U.S.C. 3474; OMB Circular A-102)

[53 FR 8071 and 8087, Mar. 11, 1988, as amended at 53 FR 8072, Mar. 11, 1988; 53 FR 49143, Dec. 6, 1988]

Sec. 80.33 Supplies.

(a) Title. Title to supplies acquired under a grant or subgrant will vest, upon acquisition, in the grantee or subgrantee respectively.

(b) Disposition. If there is a residual inventory of unused supplies exceeding \$5,000 in total aggregate fair market value upon termination or completion of the award, and if the supplies are not needed for any other federally sponsored programs or projects, the grantee or subgrantee shall compensate the awarding agency for its share.

(Authority: 20 U.S.C. 3474; OMB Circular A-102)

DISPOSITION OF CAPITAL OUTLAY

Equipment with an acquisition cost of less than \$2,000 which is at least five years old and no longer effective may be purged or transferred to the charter school at no cost upon DESE approval. Records of transferred equipment must be retained for three years from date of transfer. School districts must request from DESE disposition instructions for capital outlay with an acquisition cost of \$2,000 or more per unit. School districts given permission to purge equipment less than five years old will not be given approval to purchase similar equipment until the five-year period has ended.

The written request to purge or transfer must include:

- item
- date of acquisition
- original cost
- reason for purge or transfer
- anticipated use

PAYMENT

A first payment will be made approximately one month following final approval after the charter school has submitted an invoice for payment and an Employer Identification Number to determine not-for-profit status. Subsequent payments will continue on a periodic basis. You must submit an invoice to receive subsequent payments. The first amount will be negotiated based on demonstrated need. A final payment of at least 10% will occur after receipt and approval of end of year progress report and final expenditure report.

SCHEDULE

The RFP process schedule is intended to: 1) identify those who wish to participate in the charter schools grant program, 2) provide timely information and assistance in applying for federal charter school funds, and 3) request and accept proposals which indicate an interest in and an ability to complete the long-term goals of

the proposal. **All RFPs must be delivered to the Discretionary Grants Section of the Missouri Department of Elementary and Secondary Education or postmarked not later than 4:00 p.m., June 2, 2003.**

Awards are made for a period not to exceed one year. Awardees may request a starting date (but not prior to the approval date) which best fits their needs. Renewals for 2nd year grants will be awarded based on the availability of funds and documented evidence that the chartered school met measurable benchmarks described by the charter school as part of this RFP and finally approved by the Department. Annual progress and financial status reports will be required. Initial awards of up to \$120,000 may be requested depending on availability of funds.

TIMELINE 2003-2004 GRANT YEAR

Applications Available	April 14
Informational Meeting	May 2
Application Deadline	June 2
Grant screening and review	June 2-June 20
Grant award notification/negotiation	June 23-27
Grant award approval/Grant activities may begin	July 1
On-site Monitoring reviews	October-April
Final Expenditure Report Due	May 15
Grant activities End	June 30
Project Evaluation Due	July 30

EVALUATION CRITERIA

Quality Issues--Most of the items listed below are to have been addressed in the Charter and in accordance with state law and the federal charter program. Additional items marked with an asterisk (*) must be addressed separately on the form provided.

Contribution to Education (20 points)

- The contribution that the charter school's program will make in assisting educationally disadvantaged and other students to achieve state content standards, state student performance standards, and, in general, the state's education improvement plan.

Goals and Objectives (20 points)

- The quality and ambitiousness of the charter school's educational goals and objectives.
- The quality of the charter school's strategies to meet those goals and objectives and improve educational results for all charter students.
- The quality of the proposed curriculum and instructional practices.

Performance Indicators (20 points)

- The quality of the strategy for assessing achievement of the charter objectives.
- *Activity evaluations and related measurements described by the respondent provide clear, measurable indicators to demonstrate that the charter school is being implemented in a timely, organized, and effective manner.
- *Measurement tools are valid, of high quality, and measured gains are indicators of a successful project.

Governance and Personnel (20 points)

- The extent and nature of parental, professional educator, and community involvement in the governance and operation of the charter school.
- The quality of the charter school's policy for securing personnel services.
- The quality of staff.
- The quality of the charter school's professional development plan.

Financial Management (20 points)

- The feasibility and soundness of the charter school's three-year financial plan.
- The budget for the use of federal funds requested under this RFP is concise, understandable, reasonable, and directly supports the purposes of the charter school and of the stated uses of the federal funds.

TOTAL POSSIBLE POINTS

100 points

Impact Potential Awards (10 points for one of the two)

- An additional award is made for proposals from charter schools oriented to high-risk students.
- An additional award is made for proposals from charter schools oriented to the re-entry of dropouts into the school system.

TOTAL MAXIMUM POINTS

110 points

DEFINITIONS—For purposes of this federally funded RFP, the following definitions apply:

Charter Authorized Representative -- a member of the charter school's board of directors (board member must reside within the boundaries of the school district in which the charter is located) or a designee of the board of directors. The board designee shall not be an employee of the management company providing management services for the school (with the exception of the building principal).

Charter school—a public school that:

- in accordance with an enabling state statute, is exempted from certain state or local rules that inhibit the flexible operation and management of public schools;
- is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;
- operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;
- provides a program of elementary or secondary education, or both;
- is nonsectarian in its programs, admission policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;
- does not charge tuition;
- complies with the Age Discrimination Act of 1975, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Part B of the Individuals with Disabilities Education Act;
- admits students on the basis of a lottery, if more students apply for admission than can be accommodated;
- agrees to comply with the same federal and state audit requirements as do other elementary and secondary schools in the state unless the requirements are specifically waived for the purposes of the Charter program; and
- operates in accordance with state law.

Developer—an individual or group of individuals (including a public or private nonprofit organization), which may include teachers, administrators and other school staff, parents, or other members of the local community in which a charter school project will be carried out.

Dropout— A dropout for the school year being reported is an individual who:

- was enrolled at the end of the previous school year, did not return to school after summer vacation and was not enrolled at any time during the school year, or
- was enrolled during the regular school term and was not enrolled on the last day of that same school term; and
- has not graduated from high school;
- does not meet any of the following exclusionary conditions:
 - transferred to another public school, nonpublic school, home school; or
 - temporary absence due to suspension or verified illness; or
 - death; or
 - re-enrolled on or before the enrollment count date of the following September.

Eligible applicant—an authorized public chartering agency participating in a partnership with a developer to establish a charter school in accordance with this program.

Equipment—tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$1000 or more per unit.

High-risk student—a student who is at least one year behind in satisfactory completion of course work or obtaining credits for graduation, pregnant or a parent, economically deprived using measures such as free and reduced lunch, homeless or has been homeless sometime within the preceding six months, has limited English proficiency, has been suspended from school three or more times, or has been referred by the school district for enrollment in an alternative program.

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INSTRUCTIONS FOR CHARTER SCHOOLS RFP

Please complete the entire RFP on the form provided.

SECTION I—TOTAL BUDGETS BY FUNDING CATEGORY AND GRANT TYPE: This section is a summary of your Section V—Charter School Federal Budget subtotal and total. Simply duplicate the subtotal and total numbers from each of the Section V budget classes (6100, 6200, 6300, 6400, 6500 and Total). Indicate which grant year you are applying for by checking the proper box. An authorized Department of Elementary and Secondary Education official will sign this section of the form for all approved final respondents.

SECTION II—CHARTER SCHOOL, SPONSOR, AND SCHOOL DISTRICT INFORMATION: Self-explanatory.

SECTION III—ASSURANCES AND CERTIFICATION: An authorized representative of the Charter School must agree to and sign the assurances. Acknowledgement by the district is not required, but indicates the Charter School has adequately informed a central office school district official of the intent to apply for and receive funds. Signature by the district does not indicate approval or disapproval—merely that they have been informed.

SECTION IV—ACTIVITIES: Complete an activity section for each grant activity. Each activity must list the total amount of grant funds that will be expended, as listed in the budget, to accomplish the activity. The description should be detailed enough to ensure a knowledgeable reader that the funds are to be spent for an allowable activity. Excessive descriptions are not awarded additional points. The activities related to Library Media Services and Technology must be completed as indicated. Seven (7) additional activities can be implemented. Each activity must have a concise description and must explain both the evaluation method of the activity, measurement tool and the time span for the activity. The evaluation method for each activity may be process or objective in nature. Each activity must have a specified measurement tool and must be measurable by the 10th month of the process so that results may be used to determine eligibility for continued support. Each of the benchmarks must be related to the activity for which funding is requested. Measurement tools must directly measure the described benchmark and the anticipated results should indicate a level of accomplishment, which is honestly attainable. It is not recommended that Charters use end-of-year test scores since the results may not be available in time. The typed narrative must be confined to space provided. No additional activities are permitted.

SECTION V—CHARTER SCHOOL FEDERAL BUDGET: This section describes the use of funds within the budget categories used by the Missouri Public School Accounting System. A description of each category is provided in the material. A brief budget description (for example, under 6100 Salaries: supplemental pay for attendance at professional development activities outside normal operating hours) and the total funds to be expended within each category are required.

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FEDERAL DISCRETIONARY GRANTS SECTION
MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
PO BOX 480, JEFFERSON CITY, MO 65102-0480
FEDERAL CHARTER SCHOOLS RFP
Project Dates: July 1, _____ to June 30, _____

SECTION I - TOTAL BUDGETS BY FUNDING CATEGORY AND GRANT TYPE						
PROGRAM	6100: Salaries	6200: Employee Benefits	6300: Purchased Services	6400: Materials/ Supplies	6500: Capital Outlay	TOTAL
CHARTER SCHOOLS						
SIGNATURE OF AUTHORIZED DESE OFFICIAL			DATE		GRANT TYPE <input type="checkbox"/> FIRST YEAR <input type="checkbox"/> SECOND YEAR	
SECTION II - CHARTER SCHOOL, SPONSOR, AND SCHOOL DISTRICT INFORMATION						
CHARTER SCHOOL NAME					TELEPHONE NUMBER	
ADDRESS					FAX NUMBER	
NAME OF CHARTER SCHOOL CONTACT					E-MAIL ADDRESS	
NONPROFIT STATUS NUMBER						
DISTRICT NAME					COUNTY-DISTRICT CODE	
NAME AND TITLE OF DISTRICT CONTACT					TELEPHONE NUMBER	
E-MAIL ADDRESS					FAX NUMBER	
CHARTER SPONSOR INSTITUTION					ADDRESS	
NAME OF SPONSOR CONTACT					TELEPHONE NUMBER	
E-MAIL ADDRESS					FAX NUMBER	
SECTION III - ASSURANCES AND CERTIFICATION						
<p>The Charter School assures the Department of Elementary and Secondary Education (DESE) that it shall:</p> <ol style="list-style-type: none"> 1. receive and expend the funds in a manner that is consistent with the intent of the approved proposal. 2. keep such records for a period of three years and provide such information as may be necessary for fiscal and program auditing and for program evaluation, and provide DESE any information that it may need to carry out its responsibilities under the program. 3. adhere to the requirements of applicable federal statutes and regulations, state laws and rules governing the program, and all other applicable statutes, including the Age Discrimination Act of 1975; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title IX of the Education Amendments of 1972; and Part B of the Individuals with Disabilities Act and certifies that any personnel benefiting from these funds have not been suspended nor debarred. 4. achieve nonprofit status by _____ (date). <p>The charter authorized representative fully understands the assurances and the responsibility for compliance placed upon the applicant by the assurances. The applicant will refund directly to DESE the amount of any funds made available to the applicant which may be determined by the Department or an auditor representing the Department to have been misspent or otherwise misapplied.</p>						
SIGNATURE OF CHARTER AUTHORIZED REPRESENTATIVE					DATE	
ACKNOWLEDGEMENT BY DISTRICT					DATE	

SECTION IV - ACTIVITIES

Activity # 1	LIBRARY MEDIA SERVICES - <i>REQUIRED</i>	FUNDS BUDGETED FOR ACTIVITY
	DESCRIPTION OF ACTIVITY, EVALUATION METHOD, MEASUREMENT TOOL AND TIME SPAN OF EVENT:	
Activity # 2	TECHNOLOGY- <i>REQUIRED</i>	FUNDS BUDGETED FOR ACTIVITY
	DESCRIPTION OF ACTIVITY, EVALUATION METHOD, MEASUREMENT TOOL AND TIME SPAN OF EVENT:	
Activity # 3	NAME OF ACTIVITY	FUNDS BUDGETED FOR ACTIVITY
	DESCRIPTION OF ACTIVITY, EVALUATION METHOD, MEASUREMENT TOOL AND TIME SPAN OF EVENT:	

SECTION IV - ACTIVITIES *continued*

Activity # 4	NAME OF ACTIVITY	FUNDS BUDGETED FOR ACTIVITY
	DESCRIPTION OF ACTIVITY, EVALUATION METHOD, MEASUREMENT TOOL AND TIME SPAN OF EVENT:	
Activity # 5	NAME OF ACTIVITY	FUNDS BUDGETED FOR ACTIVITY
	DESCRIPTION OF ACTIVITY, EVALUATION METHOD, MEASUREMENT TOOL AND TIME SPAN OF EVENT:	
Activity # 6	NAME OF ACTIVITY	FUNDS BUDGETED FOR ACTIVITY
	DESCRIPTION OF ACTIVITY, EVALUATION METHOD, MEASUREMENT TOOL AND TIME SPAN OF EVENT:	

SECTION IV - ACTIVITIES *continued*

Activity # 7	NAME OF ACTIVITY	FUNDS BUDGETED FOR ACTIVITY
	DESCRIPTION OF ACTIVITY, EVALUATION METHOD, MEASUREMENT TOOL AND TIME SPAN OF EVENT:	
Activity # 8	NAME OF ACTIVITY	FUNDS BUDGETED FOR ACTIVITY
	DESCRIPTION OF ACTIVITY, EVALUATION METHOD, MEASUREMENT TOOL AND TIME SPAN OF EVENT:	
Activity # 9	NAME OF ACTIVITY	FUNDS BUDGETED FOR ACTIVITY
	DESCRIPTION OF ACTIVITY, EVALUATION METHOD, MEASUREMENT TOOL AND TIME SPAN OF EVENT:	

SECTION V - CHARTER SCHOOL FEDERAL BUDGET

	Grant Funds
6100: Salaries	
Subtotal	
6200: Employee Benefits	
FICA _____	
Insurance _____	
Teacher retirement _____	
Non-teacher retirement _____	
Other _____	
Subtotal	
6300: Purchased Services	
Subtotal	
6400: Materials/Supplies	
Subtotal	
6500: Capital Outlay	
Subtotal	
TOTAL	

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DESE BUDGET CATEGORIES SUMMARY

<u>CLASS</u>	<u>DESCRIPTION</u>
6100	<p><i>Salaries</i> - Amounts paid for full- and part-time employees of the LEA, including:</p> <ul style="list-style-type: none"> • full- and part-time certificated teachers • substitute teachers • supplemental pay (extra-curricular for certificated personnel) • full- and part-time non-certificated employee pay • unused sick or severance pay for non-certificated employees
6200	<p><i>Employee Benefits</i> - Amounts paid by the LEA on behalf of employees over and above the gross salary; not paid directly to employee. Benefits include:</p> <ul style="list-style-type: none"> • teacher and non-teacher retirement • Old Age, Survivors and Disability Insurance (OASDI) and Medicare • employee insurance (e.g., dental, life) • Worker's Compensation • Unemployment Compensation • Other employee-provided services
6300	<p><i>Purchased Services</i> - Amounts paid for personnel not on the LEA's payroll, and for services required by the LEA. Such services may be purchased from another school district. The following may fall under this category:</p> <ul style="list-style-type: none"> • professional and technical services (e.g., architectural, legal, dental) • instructional (e.g., tuition paid to other districts, curriculum consultants) • pupil and staff services • audit, data processing, and like services • property services (e.g., cleaning, repairs, maintenance) • transportation (contracted and non-contracted) • staff travel • insurance (other than employee benefits) • communication (e.g., advertising, printing) • other (e.g., contracted food services)
6400	<p><i>Materials and Supplies</i> - Amounts paid for expendable items which are consumed, worn out, or which become part of more complex units or substances. These include:</p> <ul style="list-style-type: none"> • general supplies, including freight and cartage • free and regular textbooks • library books, periodicals, resource materials • food (items usually claimed on the School Food Service Reimbursement form) • energy (electric, gas, oil) • other supplies and materials
6500	<p><i>Capital Outlay</i> - Expenditures for fixed assets or additions to fixed assets. Capital outlay is considered to be an object that is purchased. It covers:</p> <ul style="list-style-type: none"> • land, buildings, and other improvements • regular equipment • instructional equipment • vehicles • other capital outlay

NOTE: Detailed expenditure object code descriptions may be found in the Missouri Financial Accounting Manual, PROCEDURE NO: CDE-407, Revised July 1997. The bulleted example items may include expenditures that are not allowable in the Federal Charter Schools Program.

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SECOND REGULAR SESSION

[CORRECTED]

[TRULY AGREED TO AND FINALLY PASSED]

CONFERENCE COMMITTEE SUBSTITUTE FOR

HOUSE SUBSTITUTE FOR

HOUSE COMMITTEE SUBSTITUTE FOR

SENATE SUBSTITUTE FOR

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 781

89TH GENERAL ASSEMBLY

1998

Section 4.

1. A charter school is an independent, publicly supported school.
2. Charter schools may be operated only in a metropolitan school district or in an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants and may be sponsored by any of the following:
 - (1) The school board of the district;
 - (2) A public four-year college or university with its primary campus in the school district or in a county adjacent to the county in which the district is located, with an approved teacher education program that meets regional or national standards of accreditation; or
 - (3) A community college located in the district.
3. A maximum of five percent of the school buildings currently in use for instructional purposes in a district may be converted to charter schools. This limitation does not apply to vacant buildings or buildings not used for instructional purposes.
4. No sponsor shall receive from an applicant for a charter school any fee of any type for the consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise of future payment of any kind.
5. The charter school shall be a Missouri nonprofit corporation incorporated pursuant to chapter 355, RSMo. The charter provided for herein shall constitute a contract between the sponsor and the charter school.
6. As a nonprofit corporation incorporated pursuant to chapter 355, RSMo, the charter school shall select the method for election of officers pursuant to section 355.326, RSMo, based on the class of corporation selected. Meetings of the governing board of the charter school shall be subject to the provisions of sections 610.010 to 610.030, RSMo, the open meetings law.
7. A sponsor of a charter school, its agents and employees are not liable for any acts or omissions of a charter school that it sponsors, including acts or omissions relating to the charter submitted by the charter school, the operation of the charter school and the performance of the charter school.
8. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 2 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. The primary campus of the college or university must be located within the county in which the school district

lies wherein the charter school is located or in a county adjacent to the county in which the district is located. A university, college or community college may not charge or accept a fee for affiliation status.

9. No university, college or community college shall grant a charter to a nonprofit corporation if an employee of the university, college or community college is a member of the corporation's board of directors.

Section 5.

1. A person, group or organization seeking to establish a charter school shall submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is not a school board, the applicant shall give a copy of its application to the school board of the district in which the charter school is to be located, when the application is filed with the proposed sponsor. The school board may file objections with the proposed sponsor, and, if a charter is granted, the school board may file objections with the state board of education. The charter shall include a mission statement for the charter school, a description of the charter school's organizational structure and bylaws of the governing body, which will be responsible for the policy and operational decisions of the charter school, a financial plan for the first three years of operation of the charter school including provisions for annual audits, a description of the charter school's policy for securing personnel services, its personnel policies, personnel qualifications, and professional development plan, a description of the grades or ages of students being served, the school's calendar of operation, which shall include at least the equivalent of a full school term as defined in section 160.011, RSMo, and an outline of criteria specified in this section designed to measure the effectiveness of the school. The charter shall also state:

- (1) The educational goals and objectives to be achieved by the charter school;
- (2) A description of the charter school's educational program and curriculum;
- (3) The term of the charter, which shall be not less than five years, nor greater than ten years and shall be renewable;
- (4) A description of the charter school's pupil performance standards, which must meet the requirements of subdivision (6) of subsection 5 of this section. The charter school program must be designed to enable each pupil to achieve such standards; and
- (5) A description of the governance and operation of the charter school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school.

2. Proposed charters shall be subject to the following requirements:

- (1) A charter may be approved when the sponsor determines that the requirements of this section are met and determines that the applicant is sufficiently qualified to operate a charter school. The sponsor's decision shall be made within sixty days of the filing of the proposed charter;
- (2) If the charter is denied, the proposed sponsor shall notify the applicant in writing as to the reasons for its denial;
- (3) If a proposed charter is denied by a sponsor, the proposed charter may be submitted to the state board of education, along with the sponsor's written reasons for its denial. If the state board determines that the applicant meets the requirements of this section and that granting a charter to the applicant would be likely to provide educational benefit to the children of the district, the state board may grant a charter and act as sponsor of the charter school; and
- (4) The sponsor of a charter school shall give priority to charter school applicants that propose a school oriented to high-risk students and to the re-entry of dropouts into the school system. If a sponsor grants three or more charters, at least one-third of the charters granted by the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student body and address the needs of dropouts or high-risk students through their proposed mission, curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk" student is one who is at least one year behind in satisfactory completion of course work or obtaining credits for graduation, pregnant or a parent, homeless or has been homeless sometime within the preceding six months, has limited English proficiency, has been suspended from school three or more times, or has been referred by the school district for enrollment in an alternative program. "Dropout" shall be defined through the guidelines of the school core data report. The provisions of this subsection do not apply to charters sponsored by the state board of education.

3. If a charter is approved by a sponsor, it shall be submitted to the state board of education which may, within forty-five days, disapprove the granting of the charter. The state board of education may disapprove a charter only on grounds that the application fails to meet the requirements of sections 4 to 8 of this act.4. Any disapproval of a charter pursuant to subsection 3 of this section shall be subject to judicial review pursuant to chapter 536, RSMo.5. A charter school shall, as provided in its charter:

- (1) Be nonsectarian in its programs, admission policies, employment practices, and all other operations;
- (2) Comply with laws and regulations of the state relating to health, safety, and minimum educational standards;

(3) Except as provided in sections 4 to 8 of this act, be exempt from all laws and rules relating to schools, governing boards and school districts;

(4) Be financially accountable, use practices consistent with the Missouri financial accounting manual, provide for an annual audit by a certified public accountant, and provide liability insurance to indemnify the school, its board, staff and teachers against tort claims. For the purposes of securing such insurance, a charter school shall be eligible for the Missouri public entity risk management fund pursuant to section 537.700, RSMo. A charter school that incurs debt must include a repayment plan in its financial plan;

(5) Provide a comprehensive program of instruction for at least one grade or age group from kindergarten through grade twelve, which may include early childhood education if funding for such programs is established by statute, as specified in its charter;

(6) Design a method to measure pupil progress toward the pupil academic standards adopted by the state board of education pursuant to section 160.514, RSMo, collect baseline data during at least the first three years for determining how the charter school is performing and to the extent applicable, participate in the statewide system of assessments, comprised of the essential skills tests and the nationally standardized norm-referenced achievement tests, as designated by the state board pursuant to section 160.518, RSMo, complete and distribute an annual report card as prescribed in section 160.522, RSMo, report to its sponsor, the local school district, and the state board of education as to its teaching methods and any educational innovations and the results thereof, and provide data required for the study of charter schools pursuant to subsection 3 of section 6 of this act. No charter school will be considered in the Missouri school improvement program review of the district in which it is located for the resource or process standards of the program. Nothing in this paragraph shall be construed as permitting a charter school to be held to lower performance standards than other public schools within a district; however, the charter of a charter school may permit students to meet performance standards on a different time frame as specified in its charter;

(7) Assure that the needs of special education children are met in compliance with all applicable federal and state laws and regulations.

6. The charter of a charter school may be amended at the request of the governing body of the charter school and on the approval of the sponsor. The sponsor and the governing board and staff of the charter school shall jointly review the school's performance, management and operations at least once every two years.

7.

(1) A sponsor may revoke a charter at any time if the charter school commits a serious breach of one or more provisions of its charter or on any of the following grounds: failure to meet academic performance standards as set forth in its charter, failure to meet generally accepted standards of fiscal management, or violation of law.

(2) The sponsor may place the charter school on probationary status to allow the implementation of a remedial plan, after which, if such plan is unsuccessful, the charter may be revoked.

(3) At least sixty days before acting to revoke a charter, the sponsor shall notify the board of directors of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action. The school's board of directors may request in writing a hearing before the sponsor within two weeks of receiving the notice.

(4) The sponsor of a charter school shall establish procedures to conduct administrative hearings upon determination by the sponsor that grounds exist to revoke a charter. Final decisions of a sponsor from hearings conducted pursuant to this subsection are subject to judicial review pursuant to chapter 536, RSMo.

(5) A termination shall be effective only at the conclusion of the school year, unless the sponsor determines that continued operation of the school presents a clear and immediate threat to health and safety of the children.

8. A school district may enter into a lease with a charter school for physical facilities. A charter school may not be located on the property of a school district unless the district governing board agrees.

9. A governing board or a school district employee who has control over personnel actions shall not take unlawful reprisal against another employee at the school district because the employee is directly or indirectly involved in an application to establish a charter school. A governing board or a school district employee shall not take unlawful reprisal against an educational program of the school or the school district because an application to establish a charter school proposes the conversion of all or a portion of the educational program to a charter school. As used in this subsection, "unlawful reprisal" means an action that is taken by a governing board or a school district employee as a direct result of a lawful application to establish a charter school and that is adverse to another employee or an educational program.

Section 6.

1. A charter school shall enroll all pupils resident in the district in which it operates or eligible to attend a district's school under an urban voluntary transfer program who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. If capacity is insufficient to enroll all pupils who submit a timely

application, the charter school shall have an admissions process that assures all applicants of an equal chance of gaining admission except that:

(1) A charter school may establish a geographical area around the school whose residents will receive a preference for enrolling in the school, provided that such preferences do not result in the establishment of racially or socio-economically isolated schools and provided such preferences conform to policies and guidelines established by the state board of education; and

(2) A charter school may also give a preference for admission of children whose siblings attend the school or whose parents are employed at the school.

2. A charter school shall not limit admission based on race, ethnicity, national origin, disability, gender, income level, proficiency in the English language or athletic ability, but may limit admission to pupils within a given age group or grade level.

3. The department of elementary and secondary education shall commission a study of the performance of students at each charter school in comparison with a comparable group and a study of the impact of charter schools upon the districts in which they are located, to be conducted by a contractor selected through a request for proposal. The department of elementary and secondary education shall reimburse the contractor from funds appropriated by the general assembly for the purpose. The study of a charter school's student performance in relation to a comparable group shall be designed to provide information that would allow parents and educators to make valid comparisons of academic performance between the charter school's students and a group of students comparable to the students enrolled in the charter school. The impact study shall be undertaken every two years to determine the effect of charter schools on education stakeholders in the districts where charter schools are operated. The impact study may include, but is not limited to, determining if changes have been made in district policy or procedures attributable to the charter school and to perceived changes in attitudes and expectations on the part of district personnel, school board members, parents, students, the business community and other education stakeholders. The department of elementary and secondary education shall make the results of the studies public and shall deliver copies to the governing boards of the charter schools, the sponsors of the charter school, the school board and superintendent of the districts in which the charter schools are operated.

Section 7.

1. For the purposes of calculation and distribution of state school aid under section 163.031, RSMo, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which each pupil resides. Each charter school shall report the names, addresses, and eligibility for free or reduced price lunch or other categorical aid, of pupils resident in a school district who are enrolled in the charter school to the school district in which those pupils reside and to the state department of elementary and secondary education. Each charter school shall promptly notify the state department of elementary and secondary education and the pupil's school district when a student discontinues enrollment at a charter school.

2.

(1) A school district having one or more resident pupils attending a charter school shall pay to the charter school an annual amount equal to the product of the equalized, adjusted operating levy for school purposes for the pupils' district of residence for the current year times the guaranteed tax base per eligible pupil, as defined in section 163.011, RSMo, times the number of the district's resident pupils attending the charter school plus all other state aid attributable to such pupils, including summer school, if applicable, and all aid provided pursuant to section 163.031, RSMo.

(2) The district of residence of a pupil attending a charter school shall also pay to the charter school any other federal or state aid that the district receives on account of such child.

(3) The amounts provided pursuant to this subsection shall be prorated for partial year enrollment for a pupil.

(4) A school district shall pay the amounts due pursuant to this subsection as disbursal agent and no later than twenty days following receipt of any such funds.

3. If a school district fails to make timely payments of any amount for which it is the disbursal agent, the state department of elementary and secondary education shall authorize payment to the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the same amount from the next state school aid apportionment to the owing school district. If a charter school is paid more or less than the amounts due pursuant to subsection 2 of this section, the amount of overpayment or underpayment shall be adjusted in its next payment by the school district or the department of elementary and secondary education, as appropriate. Any dispute between the school district and a charter school as to the amount owing to the charter school shall be resolved by the department of elementary and secondary education, and the department's decision shall be the final administrative action for the purposes of review pursuant to chapter 536, RSMo.

4. The charter school and a local school board may agree by contract for services to be provided by the school district to the charter school. The charter school may contract with any other entity for services. Such services may include but are not limited to food service, custodial service, maintenance, management assistance, curriculum assistance, media

services and libraries and shall be subject to negotiation between the charter school and the local school board or other entity. Documented actual costs of such services shall be paid for by the charter school.

5. A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.

6. A charter school shall be eligible for transportation state aid pursuant to section 163.161, RSMo, and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

7.

(1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school district shall provide the special services provided pursuant to section 162.705, RSMo, and may provide the special services pursuant to a contract with a school district or any provider of such services.

8. A charter school may not charge tuition, nor may it impose fees that a school district is prohibited from imposing.

9. A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. Upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355, RSMo.

10. Charter schools shall not have the power to acquire property by eminent domain.

11. The governing body of a charter school is authorized to accept grants, gifts or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or donation may not be accepted by the governing body if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.

Section 8.

1. If a charter school offers to retain the services of an employee of a school district, and the employee accepts a position at the charter school, the contract between the charter school and the school district may provide that an employee at the employee's option may remain an employee of the district and the charter school shall pay to the district the district's full costs of salary and benefits provided to the employee. A teacher who accepts a position at a charter school and opts to remain an employee of the district retains such teacher's permanent teacher status and seniority rights in the district. The school district shall not be liable for any such employee's acts while an employee of the charter school.

2. A charter school may employ noncertificated instructional personnel; provided that no more than twenty percent of the full-time equivalent instructional staff positions at the school are filled by noncertificated personnel. All noncertified instructional personnel shall be supervised by certified instructional personnel. The charter school shall ensure that all instructional employees of the charter school have experience, training and skills appropriate to the instructional duties of the employee, and the charter school shall ensure that a criminal background check and child abuse registry check are conducted for each employee of the charter school prior to the hiring of the employee. Appropriate experience, training and skills of noncertificated instructional personnel shall be determined considering:

- (1) Teaching certificates issued by another state or states;
- (2) Certification by the National Standards Board;
- (3) College degrees in the appropriate field;
- (4) Evidence of technical training and competence when such is appropriate; and
- (5) Level of supervision and coordination with certificated instructional staff.

3. Personnel employed by the charter school shall participate in the retirement system of the school district in which the charter school is located, subject to the same terms, conditions, requirements and other provisions applicable to personnel employed by the school district.

Section 9.

1. Notwithstanding any other provision of law, for districts not making transfers pursuant to subsection 4 of section 165.011, RSMo, nor making payments or expenditures related to obligations made pursuant to section 177.088, RSMo, nor any combination of such transfers, payments or expenditures, the district's operating levy for school purposes shall include the sum of tax rates levied for incidental, teachers, debt service and capital projects funds, with no more than eighteen cents of the sum levied in the debt service and capital projects funds. Any portion of the operating levy for school purposes levied in the debt service and capital projects funds in excess of a sum of ten cents must be authorized by a vote of the people, after August 28, 1998, approving an increase in the operating levy, or a full waiver of the rollback

pursuant to section 164.013, RSMo, with a tax rate ceiling in excess of the minimum tax rate or an issuance of general obligation bond.

2. Notwithstanding any other provision of law, beginning with the tax year which commences January 1, 1998, and for the 1998-99 school year and subsequent tax and school years, no school district shall receive more state aid, as calculated under section 163.031, RSMo, for its education program, exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-94, unless it has an operating levy for school purposes of not less than two dollars and seventy-five cents after all adjustments and reductions, with no more than ten cents of this tax rate levied in the debt service and capital projects funds and eligible for entry on line 1 of the state school aid formula contained in subsection 6 of section 163.031, RSMo; except that any district which is required, pursuant to article X, section 22 of the Missouri Constitution, to reduce its operating levy below the minimum tax rate otherwise required under subsection 2 of section 163.021, RSMo, shall not be construed to be in violation of subsection 2 of section 163.021, RSMo, for making such tax rate reduction.

3. Notwithstanding any other provision of law, the portion of state aid received by the district pursuant to section 163.031, RSMo, based upon the portion of the tax rate in the debt service or capital projects funds, respectively, which is included in the operating levy for school purposes shall be placed to the credit of the debt service fund or capital projects fund, respectively.

Section B.

1. The repeal and reenactment of sections 163.011 and 163.031 of this act and the enactment of section 162.1060 shall become effective on July 1, 1999, if notification has been provided pursuant to subsection 2 of this section.

2. On or within thirty days prior to March 15, 1999, the attorney general shall provide notice to the revisor of statutes as to whether a final judgment as to the state of Missouri and its officials is entered or has been entered in each pending case as of May 15, 1998, which subjects one or more school districts in this state to a federal court's jurisdiction, and if the notice provides that a final judgment as to the state of Missouri and its officials has not been entered in each such case, the repeal and reenactment of sections 163.011 and 163.031 of this act and the enactment of section 162.1060 of this act shall not become effective. As used in this section, "final judgment" shall include only a judgment which disposes of all claims involving the state of Missouri and its officials and for which final disposition of appeals has been rendered and may include a consent judgment. Provided, however that a settlement among the parties may include provisions for payment for capital to be made after March 15, 1999, as long as the final judgment approving such settlement fixes with finality the financial obligations of the state.

No Child Left Behind Act of 2001

TITLE V—PROMOTING INFORMED PARENTAL CHOICE AND INNOVATIVE PROGRAMS

“PART B—PUBLIC CHARTER SCHOOLS

“Subpart 1—Charter School Programs 29

“SEC. 5201. PURPOSE.

“It is the purpose of this subpart to increase national understanding of the charter schools model by—

- “(1) providing financial assistance for the planning, program design, and initial implementation of charter schools;
- “(2) evaluating the effects of such schools, including the effects on students, student academic achievement, staff, and parents;
- “(3) expanding the number of high-quality charter schools available to students across the Nation; and
- “(4) encouraging the States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount the States have typically provided for traditional public schools.

“SEC. 5202. PROGRAM AUTHORIZED.

“(a) IN GENERAL.—The Secretary may award grants to State educational agencies having applications approved pursuant to section 5203 to enable such agencies to conduct a charter school grant program in accordance with this subpart.

“(b) SPECIAL RULE.—If a State educational agency elects not to participate in the program authorized by this subpart or does not have an application approved under section 5203, the Secretary may award a grant to an eligible applicant that serves such State and has an application approved pursuant to section 5203(c).

“(c) PROGRAM PERIODS.—

“(1) GRANTS TO STATES.—Grants awarded to State

educational agencies under this subpart shall be for a period of not more than 3 years.

“(2) GRANTS TO ELIGIBLE APPLICANTS.—Grants awarded by the Secretary to eligible applicants or sub-grants awarded by State educational agencies to eligible applicants under this subpart shall be for a period of not more than 3 years, of which the eligible applicant may use—

“(A) not more than 18 months for planning and program design;

“(B) not more than 2 years for the initial implementation of a charter school; and

“(C) not more than 2 years to carry out dissemination activities described in section 5204(f)(6)(B).

“(d) LIMITATION.—A charter school may not receive—

“(1) more than 1 grant for activities described in subparagraphs (A) and (B) of subsection (c)(2); or

“(2) more than 1 grant for activities under subparagraph (C) of subsection (c)(2).

“(e) PRIORITY TREATMENT.—

“(1) IN GENERAL.—In awarding grants under this subpart for fiscal year 2002 or any succeeding fiscal year from any funds appropriated under section 5211 (other than funds reserved to carry out section 5205(b)), the Secretary shall give priority to States to the extent that the States meet the criteria described in paragraph (2) and 1 or more of the criteria described in subparagraph (A), (B), or (C) of paragraph (3).

“(2) REVIEW AND EVALUATION PRIORITY CRITERIA.—

The criteria referred to in paragraph (1) are that the State provides for periodic review and evaluation by the authorized public chartering agency of each charter school, at least once every 5 years unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school’s charter, and is meeting or exceeding the student academic achievement requirements and goals for charter schools as set forth under State law or the school’s charter.

“(3) PRIORITY CRITERIA.—The criteria referred to in paragraph (1) are the following:

“(A) The State has demonstrated progress, in increasing the number of high-quality charter schools that are held accountable in the terms of the schools’ charters for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which a State educational agency or eligible applicant applies for a grant under this subpart.

“(B) The State—

“(i) provides for 1 authorized public chartering agency that is not a local educational agency, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to such State law; or

“(ii) in the case of a State in which local educational agencies are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

“(C) The State ensures that each charter school has a high degree of autonomy over the charter school’s budgets and expenditures.

“(f) AMOUNT CRITERIA.—In determining the amount of a grant to be awarded under this subpart to a State educational agency, the Secretary shall take into consideration the number of charter schools that are operating, or are approved to open, in the State.

“SEC. 5203. APPLICATIONS.

“(a) APPLICATIONS FROM STATE AGENCIES.—Each State educational agency desiring a grant from the Secretary under this subpart shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may require.

“(b) CONTENTS OF A STATE EDUCATIONAL AGENCY APPLICATION.—Each application submitted pursuant to subsection (a) shall—

“(1) describe the objectives of the State educational agency’s charter school grant program and a description of how such objectives will be fulfilled, including steps taken by the State educational agency to inform teachers, parents, and communities of the State educational agency’s charter school grant program; and

“(2) describe how the State educational agency—

“(A) will inform each charter school in the State regarding—

“(i) Federal funds that the charter school is eligible to receive; and

“(ii) Federal programs in which the charter school may participate;

“(B) will ensure that each charter school in the

State receives the charter school’s commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the charter school; and

“(C) will disseminate best or promising practices of charter schools to each local educational agency in the State; and

“(3) contain assurances that the State educational agency will require each eligible applicant desiring to receive a sub-grant to submit an application to the State educational agency containing—

“(A) a description of the educational program to be implemented by the proposed charter school, including—

“(i) how the program will enable all students to meet challenging State student academic achievement standards;

“(ii) the grade levels or ages of children to be served; and

“(iii) the curriculum and instructional practices to be used;

“(B) a description of how the charter school will be managed;

“(C) a description of—

“(i) the objectives of the charter school; and

“(ii) the methods by which the charter school

will determine its progress toward achieving those objectives;

“(D) a description of the administrative relationship between the charter school and the authorized public chartering agency;

“(E) a description of how parents and other members of the community will be involved in the planning, program design, and implementation of the charter school;

“(F) a description of how the authorized public chartering agency will provide for continued operation of the school once the Federal grant has expired, if such agency determines that the school has met the objectives described in subparagraph (C)(i);

“(G) a request and justification for waivers of any Federal statutory or regulatory provisions that the eligible applicant believes are necessary for the successful operation of the charter school, and a description of any State or local rules, generally applicable to public schools, that will be waived for, or otherwise not apply to, the school;

“(H) a description of how the subgrant funds or grant funds, as appropriate, will be used, including a description of how such funds will be used in conjunction with other Federal programs administered by the Secretary;

“(I) a description of how students in the community will be—

“(i) informed about the charter school; and

“(ii) given an equal opportunity to attend the charter school;

“(J) an assurance that the eligible applicant will

annually provide the Secretary and the State educational agency such information as may be required to determine if the charter school is making satisfactory progress toward achieving the objectives described in subparagraph (C)(i);

“(K) an assurance that the eligible applicant will cooperate with the Secretary and the State educational agency in evaluating the program assisted under this subpart;

“(L) a description of how a charter school that is considered a local educational agency under State law, or a local educational agency in which a charter school is located, will comply with sections 613(a)(5) and 613(e)(1)(B) of the Individuals with Disabilities Education Act;

“(M) if the eligible applicant desires to use subgrant funds for dissemination activities under section 5202(c)(2)(C), a description of those activities and how those activities will involve charter schools and other public schools, local educational agencies, developers, and potential developers; and

“(N) such other information and assurances as the Secretary and the State educational agency may require.

“(c) ELIGIBLE APPLICANT APPLICATION.—Each eligible applicant desiring a grant pursuant to section 5202(b) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

“(d) CONTENTS OF ELIGIBLE APPLICANT APPLICATION.— Each application submitted pursuant to subsection (c) shall contain—

“(1) the information and assurances described in sub- paragraphs (A) through (N) of subsection (b)(3), except that for purposes of this subsection subparagraphs (J), (K), and (N) of such subsection shall be applied by striking ‘and the State educational agency’ each place such term appears;

“(2) assurances that the State educational agency—

“(A) will grant, or will obtain, waivers of State statutory or regulatory requirements; and

“(B) will assist each subgrantee in the State in receiving a waiver under section 5204(e); and

“(3) assurances that the eligible applicant has provided its authorized public chartering authority timely notice, and a copy, of the application, except that the State educational agency (or the Secretary, in the case of an application submitted to the Secretary) may waive the requirement of this paragraph in the case of an application for a precharter planning grant or subgrant if the authorized public chartering authority to which a charter school proposal will be submitted has not been determined at the time the grant or subgrant application is submitted.

“SEC. 5204. ADMINISTRATION.

“(a) SELECTION CRITERIA FOR STATE EDUCATIONAL

AGENCIES.—The Secretary shall award grants to State educational agencies under this subpart on the basis of the quality of the applications submitted under section 5203(b), after taking into consideration such factors as—

“(1) the contribution that the charter schools grant program will make to assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards;

“(2) the degree of flexibility afforded by the State educational agency to charter schools under the State’s charter schools law;

“(3) the ambitiousness of the objectives for the State charter school grant program;

“(4) the quality of the strategy for assessing achievement of those objectives;

“(5) the likelihood that the charter school grant program will meet those objectives and improve educational results for students;

“(6) the number of high-quality charter schools created under this subpart in the State; and

“(7) in the case of State educational agencies that

propose to use grant funds to support dissemination activities under subsection (f)(6)(B), the quality of those activities and the likelihood that those activities will improve student academic achievement.

“(b) SELECTION CRITERIA FOR ELIGIBLE APPLICANTS.—

The Secretary shall award grants to eligible applicants under this subpart on the basis of the quality of the applications submitted under section 5203(c), after taking into consideration such factors as—

- “(1) the quality of the proposed curriculum and instructional practices;
- “(2) the degree of flexibility afforded by the State educational agency and, if applicable, the local educational agency to the charter school;
- “(3) the extent of community support for the application;
- “(4) the ambitiousness of the objectives for the charter school;
- “(5) the quality of the strategy for assessing achievement of those objectives;
- “(6) the likelihood that the charter school will meet those objectives and improve educational results for students; and
- “(7) in the case of an eligible applicant that proposes to use grant funds to support dissemination activities under subsection (f)(6)(B), the quality of those activities and the likelihood that those activities will improve student achievement.

“(c) PEER REVIEW.—The Secretary, and each State educational agency receiving a grant under this subpart, shall use a peer review process to review applications for assistance under this subpart.

“(d) DIVERSITY OF PROJECTS.—The Secretary and each State educational agency receiving a grant under this subpart, shall award grants and subgrants under this subpart in a manner that, to the extent possible, ensures that such grants and subgrants—

- “(1) are distributed throughout different areas of the Nation and each State, including urban and rural areas; and
- “(2) will assist charter schools representing a variety of educational approaches, such as approaches designed to reduce school size.

“(e) WAIVERS.—The Secretary may waive any statutory or regulatory requirement over which the Secretary exercises administrative authority except any such requirement relating to the elements of a charter school described in section 5210(1), if—

- “(1) the waiver is requested in an approved application under this subpart; and
- “(2) the Secretary determines that granting such a waiver will promote the purpose of this subpart.

“(f) USE OF FUNDS.—

“(1) STATE EDUCATIONAL AGENCIES.—Each State educational agency receiving a grant under this subpart shall use such grant funds to award subgrants to 1 or more eligible applicants in the State to enable such applicant to plan and implement a charter school in accordance with this subpart, except that the State educational agency may reserve not more than 10 percent of the grant funds to support dissemination activities described in paragraph (6).

“(2) ELIGIBLE APPLICANTS.—Each eligible applicant receiving funds from the Secretary or a State educational agency shall use such funds to plan and implement a charter school, or to disseminate information about the charter school and successful practices in the charter school, in accordance with this subpart.

“(3) ALLOWABLE ACTIVITIES.—An eligible applicant receiving a grant or subgrant under this subpart may use the grant or subgrant funds only for—

(A) post-award planning and design of the educational program, which may include—

- “(i) refinement of the desired educational results and of the methods for measuring progress toward achieving those results; and
- “(ii) professional development of teachers and other staff who will work in the charter school; and

“(B) initial implementation of the charter school, which may include—

- “(i) informing the community about the school;
- “(ii) acquiring necessary equipment and educational materials and supplies;
- “(iii) acquiring or developing curriculum materials; and
- “(iv) other initial operational costs that cannot be met from State or local sources.

“(4) ADMINISTRATIVE EXPENSES.—

“(A) STATE EDUCATIONAL AGENCY ADMINISTRATIVE EXPENSES.—Each State educational agency receiving a grant pursuant to this subpart may reserve not more than 5 percent of such grant funds for administrative expenses associated with the charter school grant program assisted under this subpart.

“(B) LOCAL ADMINISTRATIVE EXPENSES.—A local educational agency may not deduct funds for administrative fees or expenses from a subgrant awarded to an eligible applicant, unless the eligible applicant enters voluntarily into a mutually agreed upon arrangement for administrative services with the

relevant local educational agency. Absent such approval, the local educational agency shall distribute all such subgrant funds to the eligible applicant without delay.

“(5) REVOLVING LOAN FUNDS.—Each State educational agency receiving a grant pursuant to this subpart may reserve not more than 10 percent of the grant funds for the establishment of a revolving loan fund. Such fund may be used to make loans to eligible applicants that have received a subgrant under this subpart, under such terms as may be determined by the State educational agency, for the initial operation of the charter school grant program of the eligible applicant until such time as the recipient begins receiving ongoing operational support from State or local financing sources.

“(6) DISSEMINATION.—

“(A) IN GENERAL.—A charter school may apply for funds under this subpart, whether or not the charter school has applied for or received funds under this subpart for planning, program design, or implementation, to carry out the activities described in subparagraph (B) if the charter school has been in operation for at least 3 consecutive years and has demonstrated overall success, including—

“(i) substantial progress in improving student academic achievement;

“(ii) high levels of parent satisfaction; and

“(iii) the management and leadership necessary to overcome initial start-up problems and establish a thriving, financially viable charter school.

“(B) ACTIVITIES.—A charter school described in subparagraph (A) may use funds reserved under paragraph (1) to assist other schools in adapting the charter school’s program (or certain aspects of the charter school’s program), or to disseminate information about the charter school, through such activities as—

“(i) assisting other individuals with the planning and start-up of 1 or more new public schools, including charter schools, that are independent of the assisting charter school and the assisting charter school’s developers, and that agree to be held to at least as high a level of accountability as the assisting charter school;

“(ii) developing partnerships with other public schools, including charter schools, designed to improve student academic achievement in each of the schools participating in the partnership;

“(iii) developing curriculum materials, assessments, and other materials that promote increased student achievement and are based on successful practices within the assisting charter school; and

“(iv) conducting evaluations and developing materials that document the successful practices of the assisting charter school and that are designed to improve student performance in other schools.

“(g) TRIBALLY CONTROLLED SCHOOLS.—Each State that receives a grant under this subpart and designates a tribally controlled school as a charter school shall not consider payments to a school under the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2507) in determining—

“(1) the eligibility of the school to receive any other Federal, State, or local aid; or

“(2) the amount of such aid.

“SEC. 5205. NATIONAL ACTIVITIES.

“(a) IN GENERAL.—The Secretary shall reserve for each fiscal year the greater of 5 percent or \$5,000,000 of the amount appropriated to carry out this subpart, except that in no fiscal year shall the total amount so reserved exceed \$8,000,000, to carry out the following activities:

“(1) To provide charter schools, either directly or through State educational agencies, with—

“(A) information regarding—

“(i) Federal funds that charter schools are eligible to receive; and

“(ii) other Federal programs in which charter schools may participate; and

“(B) assistance in applying for Federal education

funds that are allocated by formula, including assistance with filing deadlines and submission of applications.

“(2) To provide for other evaluations or studies that include the evaluation of the impact of charter schools on student academic achievement, including information regarding—

“(A) students attending charter schools reported on the basis of race, age, disability, gender, limited English proficiency, and previous enrollment in public school; and

“(B) the professional qualifications of teachers within a charter school and the turnover of the teaching force.

“(3) To provide—

“(A) information to applicants for assistance under this subpart;

“(B) assistance to applicants for assistance under this subpart with the preparation of applications under section 5203;

“(C) assistance in the planning and startup of charter schools;

“(D) training and technical assistance to existing charter schools; and

“(E) for the dissemination to other public schools of best or promising practices in charter schools.

“(4) To provide (including through the use of 1 or more contracts that use a competitive bidding process) for the collection of information regarding the financial resources available to charter schools, including access to private capital, and to widely disseminate to charter schools any such relevant information and model descriptions of successful programs.

“(5) To carry out evaluations of, technical assistance for, and information dissemination regarding, the per-pupil facilities aid programs. In carrying out the evaluations, the Secretary may carry out 1 or more evaluations of State programs assisted under this subsection, which shall, at a minimum, address—

“(A) how, and the extent to which, the programs promote educational equity and excellence; and

“(B) the extent to which charter schools supported through the programs are—

“(i) held accountable to the public;

“(ii) effective in improving public education; and

“(iii) open and accessible to all students.

“(b) PER-PUPIL FACILITIES AID PROGRAMS.—

“(1) DEFINITION OF PER-PUPIL FACILITIES AID PROGRAM.—In this subsection, the term ‘per-pupil facilities aid program’ means a program in which a State makes payments, on a per-pupil basis, to charter schools to provide the schools with financing—

“(A) that is dedicated solely for funding charter school facilities; or

“(B) a portion of which is dedicated for funding charter school facilities.

“(2) GRANTS.—

“(A) IN GENERAL.—From the amount made available to carry out this subsection under paragraphs (2) and (3)(B) of section 5211(b) for any fiscal year, the Secretary shall make grants, on a competitive basis, to States to pay for the Federal share of the cost of establishing or enhancing, and administering per-pupil facilities aid programs.

“(B) PERIOD.—The Secretary shall award grants under this subsection for periods of not more than 5 years.

“(C) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) for a per-pupil facilities aid program shall be not more than—

“(i) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

“(ii) 80 percent in the second such year;

“(iii) 60 percent in the third such year;

“(iv) 40 percent in the fourth such year; and

“(v) 20 percent in the fifth such year.

“(3) USE OF FUNDS.—

“(A) IN GENERAL.—A State that receives a grant under this subsection shall use the funds made available through the grant to establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State.

“(B) EVALUATIONS; TECHNICAL ASSISTANCE; DISSEMINATION.—From the amount made available to a State through a grant under this subsection for a fiscal year, the State may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

“(C) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this subsection shall be used to supplement, and not supplant, State and local public funds expended to provide per pupil facilities aid programs, operations financing programs, or other programs, for charter schools.

“(4) REQUIREMENTS.—

“(A) VOLUNTARY PARTICIPATION.—No State may be required to participate in a program carried out under this subsection.

“(B) STATE LAW.—To be eligible to receive a grant under this subsection, a State shall establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State, that—

“(i) is specified in State law; and

“(ii) provides annual financing, on a per-pupil basis, for charter school facilities.

“(5) APPLICATIONS.—To be eligible to receive a grant

under this subsection, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(6) PRIORITIES.—In making grants under this subsection, the Secretary shall give priority to States that meet the criteria described in paragraph (2), and subparagraphs (A), (B), and (C) of paragraph (3), of section 5202(e).

“(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require charter schools to collect any data described in subsection (a).

“SEC. 5206. FEDERAL FORMULA ALLOCATION DURING FIRST YEAR AND FOR SUCCESSIVE ENROLLMENT EXPANSIONS.

“(a) IN GENERAL.—For purposes of the allocation to schools by the States or their agencies of funds under part A of title I, and any other Federal funds which the Secretary allocates to States on a formula basis, the Secretary and each State educational agency shall take such measures as are necessary to ensure that every charter school receives the Federal funding for which the charter school is eligible not later than 5 months after the charter school first opens, notwithstanding the fact that the identity and characteristics of the students enrolling in that charter school are not fully and completely determined until that charter school actually opens. The measures similarly shall ensure that every charter school expanding its enrollment in any subsequent year of operation receives the Federal funding for which the charter school is eligible not later than 5 months after such expansion.

“(b) ADJUSTMENT AND LATE OPENINGS.—

“(1) IN GENERAL.—The measures described in subsection (a) shall include provision for appropriate adjustments, through recovery of funds or reduction of payments for the succeeding year, in cases where payments made to a charter school on the basis of estimated or projected enrollment data exceed the amounts that the school is eligible to receive on the basis of actual or final enrollment data.

“(2) RULE.—For charter schools that first open after November 1 of any academic year, the State, in accordance with guidance provided by the Secretary and applicable Federal statutes and regulations, shall ensure that such charter schools that are eligible for the funds described in subsection (a) for such academic year have a full and fair opportunity to receive those funds during the charter schools’ first year of operation.

“SEC. 5207. SOLICITATION OF INPUT FROM CHARTER SCHOOL OPERATORS.

“To the extent practicable, the Secretary shall ensure that administrators, teachers, and other individuals directly involved in the operation of charter schools are consulted in the development of any rules or regulations required to implement this subpart, as well as in the development of any rules or regulations relevant to charter schools that are required to implement part A of title I, the Individuals with Disabilities Education Act, or any other program administered by the Secretary that provides education funds to charter schools or regulates the activities of charter schools.

“SEC. 5208. RECORDS TRANSFER.

“State educational agencies and local educational agencies, to the extent practicable, shall ensure that a student’s records and, if applicable, a student’s individualized education program as defined in section 602(11) of the Individuals with Disabilities Education Act, are transferred to a charter school upon the transfer of the student to the charter school, and to another public school upon the transfer of the student from a charter school to another public school, in accordance with applicable State law.

“SEC. 5209. PAPERWORK REDUCTION.

“To the extent practicable, the Secretary and each authorized public chartering agency shall ensure that implementation of this subpart results in a minimum of paperwork for any eligible applicant or charter school.

“SEC. 5210. DEFINITIONS.

“In this subpart:

“(1) CHARTER SCHOOL.—The term ‘charter school’ means a public school that—

“(A) in accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph;

“(B) is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

“(C) operates in pursuit of a specific set of educational objectives determined by the school’s developer and agreed to by the authorized public chartering agency;

“(D) provides a program of elementary or secondary education, or both;

“(E) is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

“(F) does not charge tuition;

“(G) complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, and part B of the Individuals with Disabilities Education Act;

“(H) is a school to which parents choose to send their children, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;

“(I) agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such requirements are specifically waived for the purpose of this program;

“(J) meets all applicable Federal, State, and local health and safety requirements;

“(K) operates in accordance with State law; and

“(L) has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school.

“(2) DEVELOPER.—The term ‘developer’ means an individual or group of individuals (including a public or private nonprofit organization), which may include teachers, administrators and other school staff, parents, or other members of the local community in which a charter school project will be carried out.

“(3) ELIGIBLE APPLICANT.—The term ‘eligible applicant’ means a developer that has—

“(A) applied to an authorized public chartering authority to operate a charter school; and

“(B) provided adequate and timely notice to that authority under section 5203(d)(3).

“(4) AUTHORIZED PUBLIC CHARTERING AGENCY.— The term ‘authorized public chartering agency’ means a State educational agency, local educational agency, or other public entity that has the authority pursuant to State law and approved by the Secretary to authorize or approve a charter school.

“SEC. 5211. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this subpart \$300,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

“(b) RESERVATION.—From the amount appropriated under subsection (a) for each fiscal year, the Secretary shall reserve—

“(1) \$200,000,000 to carry out this subpart, other than section 5205(b); and

“(2) any funds in excess of \$200,000,000, that do not exceed \$300,000,000, to carry out section 5205(b); and

“(3)(A) 50 percent of any funds in excess of \$300,000,000 to carry out this subpart, other than section 5205(b); and “(B) 50 percent of any funds in excess of \$300,000,000 to carry out section 5205(b).



FEDERAL DISCRETIONARY GRANTS SECTION
MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
PO BOX 480, JEFFERSON CITY, MO 65102-0480
FINAL EXPENDITURE REPORT
Federal Charter School
Due May 15, _____

CHARTER SCHOOL NAME

Section I - TOTAL EXPENDITURES

PROGRAM	6100: SALARIES	6200: EMPLOYEE BENEFITS	6300: PURCHASED SERVICES	6400: MATERIALS/ SUPPLIES	6500: CAPITOL OUTLAY	TOTALS
FEDERAL CHARTER SCHOOLS						

Section II - CHARTER SCHOOL SIGNATURE

I, the undersigned, as official representative designated by the Board of Education, certify the Charter School to be in compliance with the assurances signed in the application.

SIGNATURE OF CHARTER AUTHORIZED REPRESENTATIVE

DATE

**INSTRUCTIONS
FOR COMPLETION OF THE
FEDERAL CHARTER SCHOOLS
FINAL EXPENDITURE REPORT**

DUE DATE – This report is due on May 15. If needed, a revised report is due not later than thirty (30) days after the ending date of the project. All project bills must be paid before submission of the revised report. The final payment of cash due your Charter School will be transmitted ONLY upon receipt and approval of this report and, if applicable, other final reports as required by the program, such as for evaluation of data, etc.

- Charter School Name - Enter the full name of the Charter School as it appears on the project application.

SECTION I - TOTAL EXPENDITURES

Complete the row for only the object codes for which you were approved in the FEDERAL CHARTER SCHOOL APPLICATION.

Allowable Variations - Cumulative transfers among object codes may not exceed 10 percent of the currently approved total budget within each of the approved programs. Expenditures in excess of the approved budget or of the allowable variations are the responsibility of the Charter School and must not be reflected as project expenditures of the Final Expenditure Report, the Charter School's accounting records, or its project audit report. THE GRANT TOTAL MAY NOT EXCEED THE AMOUNT APPROVED.

SECTION II - CHARTER SCHOOL SIGNATURE

- Signature of Charter Authorized Representative - This should be an original signature, not a copied or a stamped signature. This person is usually the superintendent/principal and is the person for whom the governing body (i.e., Charter School Board, etc.) has given authority to administer the projects. The date may be typed or handwritten.

WHERE TO CALL FOR ASSISTANCE - Questions concerning this report should be directed to the Federal Discretionary Grants Section at (573) 526-3232.

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FEDERAL DISCRETIONARY GRANTS SECTION
MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
PO BOX 480, JEFFERSON CITY, MO 65102-0480
END OF YEAR PROGRESS REPORT
Federal Charter School
Due July 30, _____

CHARTER SCHOOL NAME

STAFF IMPACTED BY THIS PROJECT

STUDENTS IMPACTED BY THIS PROJECT

SECTION I – PROJECT ACTIVITIES

SUMMARIZE THE PRIMARY BENEFITS OF THIS GRANT PROJECT IN THE SPACE PROVIDED.

DESCRIBE ANY PROBLEMS ENCOUNTERED DURING THE IMPLEMENTATION OF THIS GRANT PROJECT.

SECTION II - ACTIVITES

Activity 1 - LIBRARY MEDIA SERVICES

Evaluation Method & Measurement Tool:

Results:

Activity 2 - TECHNOLOGY

Evaluation Method & Measurement Tool:

Results:

Activity 3

Evaluation Method & Measurement Tool:

Results:

Activity 4

Evaluation Method & Measurement Tool:

Results:

SECTION II – ACTIVITIES *continued***Activity 5**

Evaluation Method & Measurement Tool:

Results:

Activity 6

Evaluation Method & Measurement Tool:

Results:

Activity 7

Evaluation Method & Measurement Tool:

Results:

Activity 8

Evaluation Method & Measurement Tool:

Results:

Activity 9

Evaluation Method & Measurement Tool:

Results:

Section III - CHARTER SCHOOL SIGNATURE

I, the undersigned, as official representative designated by the Board of Education, certify the Charter School to be in compliance with the assurances signed in the application.

SIGNATURE OF CHARTER AUTHORIZED REPRESENTATIVE

DATE

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